IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 21958 of 2007(L)

PETITIONERS:
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1. T.R.KRISHNANKUTTY, S/O. RAGHAVAN, THUNDIYIL HOUSE, KALLISSERY P.O., CHENGANNOOR, (PUMP OPERATOR/WATCHER/CLEANER, MINOR IRRIGATION SECTION, THIRUVALLA).

2. K.P.SHAJI, S/O. K.K.PARAMESWARAN, KARAKKATHARA HOUSE, KALLISSERY P.O., UMAYATTUKARA, CHENGANNOOR, (PUMP OPERATOR/ WATCHER/CLEANER, MINOR IRRIGATION SECTION, THIRUVALLA).

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, PUBLIC WORKS (B) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER, OFFICE OF THE CHIEF ENGINEER, IRRIGATION & ADMINISTRATION, THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER, OFFICE OF THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, PATHANAMTHITTA.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, ALONG WITH WPC NOS.22288 AND 23422 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.21958/07

APPENDIX

PETITIONERS EXHIBITS

EXT.P1: TRUE COPY OF THE GOVERNMENT ORDER BEARING GO(P) NO.1484/99/FIN DATED 17/6/1999.

EXT.P2: TRUE COPY OF THE GOVERNMENT ORDER BEARING GO(MS) NO.42/2000/PWD DATED 20/7/2000.

EXT.P3: TRUE COPY OF LETTER BEARING NO.C-32340/01 DATD 28/4/2003 ISSUED BY THE RESPONDENT NO.2.

EXT.P4: TRUE COPY OF THE JUDGMENT DATED 6.8.2004 IN WPC NO.21566/04.

EXT.P5: TRUE COPY OF THE GOVERNMENT ORDER BEARING GO(RT) NO.1030/05/PWD DATED 15/11/2005.

EXT.P6: TRUE COPY OF THE ORDER BEARING GO(RT) NO.501/06/PWD DATED 13/7/2006.

EXT.P7: TRUE COPY OF THE ORDER BEARING GO(RT) NO.775/06/PWD DATED 7/10/2006.

EXT.P8: TRUE COPY OF THE ORDER DATED 8.3.2006 ISSUED BY RESPONDENT NO.2.

EXT.P9: TRUE COPY OF THE JUDGMENT DATED 4/12/2006 PASSED BY THIS HON'BLE COURT IN WPC NO.32103/2006.

EXT.P9(a): TRUE COPY OF THE ORDER DATED 3.4.2007 PASSED BY RESPONDENT NO.1 PURSUANT TO EXT.P9 JUDGMENT.

EXT.P10: TRUE COPY OF THE REPRESENTATION DATED 24/5/2007 SUBMITTED TO THE RESPONDENTS.

//TRUE COPY//

ANTONY DOMINIC, J.

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W.P.(C) Nos. 21958, 22288 & 23422 OF 2007

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Dated this the 17th day of August, 2007

J U D G M E N T

Petitioners in these writ petitions are Pump Operators/Watchers/Cleaners working in the Minor Irrigation Section at Thiruvalla and Charummoodu under the 3rd respondent. They are claiming the benefit of Exhibits P1 and P2 orders, by which daily wages were revised. The records produced by the petitioners show that similarly situated employees have claimed and many of them have been extended the benefit of these orders. It is submitted that in so far as the Minor Irrigation Section, Thiruvalla is concerned, except the petitioners in WPC No.21958 of 2007, all other similar persons have been extended the benefit by Exhibits P5 and P9(a) orders produced in that case. Similar is the situation in respect of Charumoodu also. Petitioners have also produced various judgments rendered by this Court, wherein claims raised by similarly situated persons were dealt by this Court.

2. Urging their claims for the benefit of Exhibits P1 and P2, petitioners have submitted Ext.P10 representation before the first

respondent and it is submitted that orders thereon have not been passed so far.

3. Learned Government Pleader has also been heard in the matter.

4. Having heard the parties on either side, I am satisfied that these writ petitions can be disposed of directing the first respondent to consider and pass orders on Ext.P10 representation submitted by the petitioners in these cases. While passing orders, Government shall also take into account the judgments rendered by this Court and also the fact that similarly situated persons have been extended the benefit of Exhibits P1 and P2.

5. Orders on Ext.P10 shall be passed by the first respondent, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment. The petitioners are directed to produce a copy of this judgment before the 1st respondent for compliance.

Writ petitions are disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp